



FEB 09 2006

<b>APPLICATION FOR PTA under 37 CFR 1.705(b)</b> <b>TRANSMITTAL LETTER</b> 10,823-963		Attorney Docket No: A369-USA-CIP	
Application Serial Number: <del>10,823,023</del>	Filing Date: 4/7/2004	Examiner: Jason L. Savage	Art Unit: 1775
Invention: BRAZING TITANIUM TO STAINLESS STEEL USING Ti-Ni FILLER MATERIAL			
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an application for Patent Term Adjustment for the above-identified application. The fee has been calculated as shown below.			
<p>The commissioner is authorized to charge \$200.00 to Deposit Account 500692.</p> <p>in accordance with the fee specified in 37 CFR 1.18 (e).</p> <p>2/9/06 Date</p> <p> Gary Schnittgrund Attorney for Applicant Reg. No. 42,130</p> <p>I hereby certify that this Correspondence is being facsimile transmitted to the USPTO at 571-273-8300 on February 9, 2006.</p> <p> Oleh Zajac</p>			

**RECEIVED  
CENTRAL FAX CENTER****FEB 09 2006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Jiang, et al.	<b>Art Unit:</b>	1775
<b>Serial No.:</b>	10/823,963	<b>Examiner:</b>	Jason L. Savage
<b>Filed:</b>	4/14/2004		
<b>Docket No.:</b>	A369-CIP		
<b>For:</b>	Brazing Titanium to Stainless Steel Using Layered Particulate		

**VIA FACSIMILE 571-273-8300**

**Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**

02/13/2006 HDEMESS2 00000001 500692 10823963  
01 FC:1455 200.00 DA

**APPLICATION FOR PATENT TERM ADJUSTMENT under 37 CFR 1.705(b)**

Dear Sir:

In response to the Determination of Patent Term Adjustment dated Jan. 24, 2006, Applicant respectfully requests that the USPTO consider the following facts and correct the Patent term Adjustment to 73 days.

~~02/10/2006 HDEMESS2 00000007 500692 10821023~~

~~01 FC:1455 200.00 DA~~

**STATEMENT OF THE FACTS**

The Patent Term Adjustment for the above application as computed by the USPTO is 44 days according to the above referenced Determination of Patent Term Adjustment. According to the Patent Term Adjustment History for the above application obtained from the USPTO PAIR database and attached to this application, the USPTO has determined that there were 73 days of delay by the USPTO and 29 days of delay by the Applicant.

Applicant hereby submits that Applicant was not the cause of the 29 day delay. The chronology of events is as follows:

Aug., 26, 2005

USPTO mails to the Applicant a non-final office action with a 3 month period for reply.

Oct. 3, 2005

Applicant faxes a response to the office action of Aug., 26, 2005. Applicant's fax machine does not send all 11 pages and the complete response of 11 pages is resent twice to the USPTO. The USPTO fax server receives both complete 11 page fax transmissions as evidenced by the attached USPTO Auto-Reply Facsimile Transmissions.

Oct., 11, 2005

USPTO mails a Notice of Non-Compliant Amendment to Applicant, which indicates that a complete listing of all the claims is not present in the Amendment filed by Applicant on 10/3/05. Apparently, the two complete 11 page faxes of the Amendment sent on 10/3/05 do not reach the Examiner or the File Wrapper. There was no omission by the Applicant in the two complete copies of the Amendment faxed to the USPTO on 10/3/05.

Oct. 21, 2005

Applicant receives an Auto-Reply Facsimile Transmission from the USPTO for the first fax transmission by Applicant on 10/3/05 indicating that only 7 pages were received. This was sent 18 days after the first incomplete fax and the two complete faxes received by the USPTO.

Nov. 1, 2005

Applicant faxes to the USPTO a Response to the Notice of Non-Compliant Amendment of 10/11/05. The Response explained that this was the third time that

the entire Amendment had been submitted to the USPTO and all three aforementioned USPTO Auto-Replies were attached.

Jan. 24, 2005

USPTO mails the Determination of Patent Term Adjustment with a PTA of 44 days. Apparently, the information and the attachments provided in the response of 11/1/05 were not taken into account in computing the Patent Term Adjustment.

#### **COMMENTS**

Two complete copies of the 11 page Amendment of 10/3/05 were received by the USPTO but they were not placed in the file wrapper or given to the examiner for the above application, apparently due to an error by the USPTO. Therefore, the 29 days from 10/3/05 to 11/1/05 should not diminish any PTA as computed by the USPTO.

Applicant respectfully requests that a corrected Determination of Patent Term Adjustment with a PTA of 73 days be issued by the USPTO for the above patent application. If for any reason the USPTO finds this application for PTA not complete or insufficient to adjust the PTA to 73 days, the USPTO is requested to call the undersigned attorney at the Los Angeles, California area telephone number (661) 702-6814 to discuss the steps necessary for correcting the PTA.

Respectfully submitted,

2/8/06

Date



Gary Schnittgrund  
Attorney for Applicant  
Reg. No. 42,130

The Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, California 91355  
(661) 702-6814  
(661) 702-6710 (fax)

Printer Friendly

10/823,963 BRAZING TITANIUM TO STAINLESS STEEL USING LAYERED PARTICULATE

## Patent Term Adjustment History

Patent Term Adjustment (PTA) for Application Number: 10/823,963			
			Days
Filing or 371(c) Date:	04-14-2004	USPTO Delay (PTO):	73
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	29
Post-Issue Petitions (days):	+0	Total PTA:	44
USPTO Adjustment (days):	+0	Explanation Of Calculations	
Patent Term Adjustment History			
Date	Contents Description	PTO(Days)	APPL(Days)
01-24-2006	Mail Notice of Allowance		
01-24-2006	Mail Examiner Interview Summary (PTOL - 413)		
01-23-2006	Notice of Allowance Data Verification Completed		
01-23-2006	Case Docketed to Examiner in GAU		
01-19-2006	Examiner Interview Summary Record (PTOL - 413)		
11-09-2005	Date Forwarded to Examiner		
11-01-2005	Response after Non-Final Action	↑	29
10-11-2005	Mail Notice of Informal or Non-Responsive Amendment	↑	↑
10-06-2005	Date Forwarded to Examiner	↑	↑
10-03-2005	Informal or Non-Responsive Amendment after Examiner Action	↑	↑
10-03-2005	Response after Non-Final Action	↑	↑
08-26-2005	Mail Non-Final Rejection	73	
08-24-2005	Non-Final Rejection	↑	
08-23-2005	Case Docketed to Examiner in GAU	↑	
01-10-2005	Miscellaneous Incoming Letter	↑	
07-22-2004	IFW TSS Processing by Tech Center Complete	↑	
07-22-2004	Case Docketed to Examiner in GAU	↑	
06-25-2004	Application Is Now Complete	↑	
06-24-2004	Application Return from OIPE	↑	
06-24-2004	Application Return TO OIPE	↑	
06-24-2004	Application Dispatched from OIPE	↑	
05-17-2004	Cleared by OIPE CSR	↑	
04-23-2004	IFW Scan & PACR Auto Security Review	↑	
04-14-2004	Initial Exam Team nn	↑	

USPTO 10/21/2005 12:30 PM PAGE 1/00 Fax Server  
TO:Auto-reply fax to 86170 710 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

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### Fax Information

**Date Received:**

10/3/2005 8:14:48 PM [Eastern Daylight Time]



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7 (including cover page)

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18/02/2005 16:59 5617025719 AMELCAN PAGE 01/11

<b>AMENDMENT TRANSMITTAL LETTER</b>				Attorney Docket No: <b>A369-USA-CSP</b>	
Application Serial Number: <b>10/821,023</b>		Filing Date: <b>4/7/2004</b>	Examiner: <b>Jean L. Savage</b>		Art Unit: <b>1775</b>
<b>Invention: BRAZING TITANIUM TO STAINLESS STEEL USING Ti-N FILLER MATERIAL</b>					
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT		REMARKS REVENUE PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS SUBMITTED	ADDITIONAL FEE
<b>TOTAL CLAIMS</b>	<b>12</b>	<b>MENUS</b>	<b>15</b>	<b>0</b>	<b>\$ 0.00</b>
<b>INDEP. CLAIMS</b>	<b>1</b>	<b>INDPUB</b>	<b>1</b>	<b>0</b>	<b>\$ 0.00</b>
Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>9/7/2004</u> , to read through _____, comprising an extension of the shortened statutory period of:					
_____ one month (\$120.00)		_____ three months (\$1,020.00)			
_____ two months (\$430.00)		_____ four months (\$1,390.00)			
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					
<input type="checkbox"/> Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. <input type="checkbox"/> A check in the amount of \$_____ is attached. <input type="checkbox"/> Change \$_____ to Deposit Account _____. <input type="checkbox"/> No additional fee is required. <input checked="" type="checkbox"/> No additional fee is required.					
<u>10/3/05</u> Date		 Gary Schmitterud Attorney for Applicant Reg. No. 42,130			
I hereby certify that this Correspondence is being furnished transmitted to the USPTO at 571-273-4100 on October 3, 2005.					
 Oleg Zayev					

PAGE 10 - EPCOT AT 10:24 PM EST (Eastern Daylight Time) ON SEPTEMBER 28, 2005 - 01:28:00 PM CEST (Central European Summer Time) IN ACTION RESPONSE

USPTO 10/3/2005 8:53 PM PAGE 1/001 Fax Server  
 TO: Auto-reply fax to 6617026710 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 6617026710

Fax Information

Date Received:

10/3/2005 8:42:40 PM [Eastern Daylight Time]

Total Pages:

11 (including cover page)

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10/03/2005 17:27 6617026710 AMFLEGAL		PAGE 01/11	
AMENDMENT TRANSMITTAL LETTER		Attorney Docket No: A368-USA-CIP	
Application Serial Number: 10/821,023	Filing Date: 4/7/2004	Examiner: Jason L. Savage	Art Unit: 1773
Inventors: BRAZING TITANIUM TO STAINLESS STEEL USING Ti-NI FILLER MATERIAL			
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment to the above-identified application. The fee has been calculated as shown below.			
CLAIMS AS AMENDED			
CLAIMS FORWARDED AFTER AMENDMENT	CLAIMS WITHDRAWN AFTER AMENDMENT	NO. OF EXTRA CLAIMS FORWARDED	ADDITIONAL FEE
TOTAL CLAIMS 12	MINUS 15	0	\$0
INDEP. CLAIMS 1	MINUS 1	0	\$200
Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 9/7/2005, to and through _____, comprising an extension of the shortened statutory period of: _____ one month (\$120.00) _____ three months (\$1,020.00) _____ five months (\$450.00) _____ four months (\$1,590.00)			
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT			
<input type="checkbox"/> Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. <input type="checkbox"/> A check in the amount of \$_____ is enclosed. <input type="checkbox"/> Charge \$_____ to Deposit Account _____ <input type="checkbox"/> No additional fee is required. <input checked="" type="checkbox"/> No additional fee is required.			
10/3/05 Date		 Gary Schmidt Attorney for Applicant Reg. No. 42,130	
I hereby certify that this Correspondence is being transmitted pursuant to the USPTO at 271-273-4300 on October 3, 2005.  Chris Zapp			

PAGE 01/11 RCVD AT 10/3/2005 17:20 PM Eastern Daylight Time \* SVR:USPTO-EFXXF-6/27 \* DNIS:2738300 \* CSID:6617026710 \* DURATION (mm-ss):02-20



USPTO 10/3/2005 8:51 PM PAGE 1/001 Fax Server  
 TO: Auto-reply fax to 6617026710 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

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Fax Information

Date Received:

10/3/2005 8:38:45 PM [Eastern Daylight Time]

Total Pages:

11 (including cover page)

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10/02/2006 17:23 6617026710 AMFLEGAL		PAGE 09/11	
<b>AMENDMENT TRANSMITTAL LETTER</b>		Attorney Declart No: A360-USA-CIP	
Application Serial Number: 10/321,023	Filing Date: 4/7/2004	Examiner: Jason L. Savage	Art Unit: 1775
Invention: BRAZING TITANIUM TO STAINLESS STEEL USING Ti-Ni FILLER MATERIAL			
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment to the above-identified application. The fee has been calculated as shown below.			
<b>CLAIMS AS AMENDED</b>			
CLAIMS REMAINING AFTER AMENDMENT	MINUTES	REMARKS (REASON FOR FEE)	ADDITIONAL FEE
TOTAL CLAIMS 12	MINUTES 15	NO. OF EXTRA CLAIMS REQUESTED 0	\$0.00
INDEP. CLAIMS 1	MINUTES 1	NO. OF EXTRA CLAIMS REQUESTED 0	\$0.00
Petition to hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 2/7/2005, to and through _____, comprising an extension of the shortened statutory period of: _____ one month (\$120.00) _____ three months (\$1,020.00) _____ two months (\$250.00) _____ four months (\$1,590.00)			
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>			
_____ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted. _____ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. _____ A check in the amount of \$_____ is attached. _____ Charge \$_____ to Deposit Account _____. _____ No additional fee is required. _____ No additional fee is required.			
10/3/05 Date		 Oich Schindler Attorney for Applicant Reg. No. 42,130	
I hereby certify that this Correspondence is being facsimile transmitted to the USPTO at 201-272-4200 on October 3, 2005.			
 Oich Schindler			

PAGE 011 RCVD AT 10/02/2006 17:23 PM [Eastern Daylight Time] SVR:USPTO-EFAX-6/27 DNIS:2738300 CSID:6617026710 DURATION (mm:ss):02:20